

FIFTY-FIFTH DAY

(Monday, April 27, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Hudson

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"We thank Thee, Our Father, that Thou hast brought us in safety to another week. In this day of confusion, keep our minds clear; and in all the deliberations and decisions, may we not be deceived, for whatsoever we sow, that shall we also reap. We pray in Christ's name. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 23, 1959, was dispensed with and the Journal was approved.

Leave of Absence

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Owen.

Senate Resolution 444

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate fourteen Methodist College students from over the State who are in Austin for

a Seminar on State Government, accompanied by their sponsor, John R. Gibbs of the Methodist Student Center, Austin; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students and Mr. Gibbs to the Members of the Senate.

Presentation of Guests

Senator Hardeman by unanimous consent presented Lieutenant Governor and Mrs. Edward V. Mead of New Mexico and former Senator Fred (Red) Harris, now of New Mexico as guests of the Senate today.

Senate Resolution 445

Senator Weinert offered the following resolution:

Whereas, We were honored on Thursday, April 23, 1959, to have in the gallery of the Senate, 44 pupils of the 8th Grade, Comfort Junior High School, Comfort, Kendall County, Texas, accompanied by their teacher and sponsor, O. J. Erlund and Mrs. Roy Willman; and

Whereas, This class arrived just as the Senate was adjourning, and time did not permit presenting them to the Senate at that time; and

Whereas, These students were on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens were here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, prop-

erly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senate Concurrent Resolution 61

Senator Krueger offered the following resolution:

S. C. R. No. 61, Commending the Benevolent and Protective Order of Elks in their observance of National Youth Day.

Whereas, The day of Friday, May 1, 1959, has been officially proclaimed as National Youth Day. Many State, County and City officials throughout the United States have pledged their cooperation with the Benevolent and Protective Order of Elks, who are sponsoring this observance in honor of American Youth; and

Whereas, Many patriotic groups throughout this country will participate in Youth Day activities which will feature the slogan "Make May Day American," and which will extend deserved recognition to American Youth for its stalwart resistance to the insidious campaign of Communist propaganda and other subversive influences designed to undermine our form of government, and to urge that the young men and women of America continue to dedicate themselves to the ideals of freedom and justice and the American way of life; and

Whereas, More than a million members of the Benevolent and Protective Order of Elks, many of whom are members of lodges in the State of Texas, will observe this day in recognition of American Youth; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the citizens of this State be urged to cooperate in the observance of this day and that suitable programs honoring the young people of America be arranged, and that these observances call public attention to the principles of democracy upon which the American government was founded, and encourage our young men and women to follow the path of good citizenship; and be it further

Resolved, That the Benevolent and Protective Order of Elks and their National, State and local lodges be

commended for their patriotic and untiring efforts in behalf of the youth of America and for their unselfish dedication to the ideals of Liberty, Justice, and Honor, and to the ideals of democratic government under the Constitution of the United States of America.

The resolution was read.

On motion of Senator Krueger and by unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 62

Senator Krueger offered the following resolution:

S. C. R. No. 62, Requesting the Texas Legislative Council to continue its examination and study of special funds.

Whereas, The Texas Legislative Council has studied the State's special funds and has prepared three comprehensive reports on the subject of the State's fund structure, including inventories of funds within and outside the State Treasury; and

Whereas, The Legislative Council reports covering these special funds reveal the large number of such funds both in the State Treasury and outside the State Treasury, their character, purpose, balances, etc.; and

Whereas, The large number of special funds complicates the system of State financing and considerably reduces legislative control over some of the fiscal affairs of the State; and

Whereas, It is of great importance that the Legislature and the people of Texas be provided with additional information relative to the number of special funds and on a continuing basis; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That the Texas Legislative Council be and is hereby requested to continue the examination and study of special funds within the State's fiscal structure, including new funds established by legislative or by administrative authority, and possible consolidation of funds, and any other matter pertinent to the simplification of the State's fund structure.

The resolution was read.

On motion of Senator Krueger and by unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 63

Senator Martin offered the following resolution:

S. C. R. No. 63, Requesting Texas Legislative Council to study fees charged for various services by departments, bureaus and agencies of Executive Department.

Whereas, Many boards, departments, and other agencies in the Executive Department of the government collect fees for various services rendered by them, some of which are authorized and fixed by statute and still others are collected without specific legislative authority; and

Whereas, These fees range all the way from a few cents for copies of certain official documents to hundreds of dollars for certain license and regulatory fees; and

Whereas, In many instances the fees charged bear little or no relation to the actual cost of performing such services, and, as a result, the State of Texas is losing large sums annually that should rightfully come to it (a) for services which could not be expected by the general public of departments, bureaus and other agencies of the Executive Department, and (b) due to inadequacy of present fees, fixed by statute, to cover services or produce adequate amounts for the purposes for which the fees are charged; therefore be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That the Texas Legislative Council be and it is hereby requested to undertake a comprehensive study (1) of fees charged for various services performed by departments, bureaus and other agencies of the Executive Department (2) of the statutory authority, if any, for the charging of said fees, (3) the adequacy of such fees in relationship to the cost of performance of services, (4) the need for charging fees for services where no such fee exists at the present time, and (5) of the present pattern of deposit and use of the various fees; and be it further

Resolved, That all departments, bureaus and other agencies of the Executive Department be and they are

hereby requested to cooperate fully with the Texas Legislative Council in this study; and be it further

Resolved, That the Council be requested to complete the study in time for report to the Regular Session of the 57th Legislature and to make such recommendations with respect thereto as it may deem proper.

The resolution was read.

On motion of Senator Martin and by unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 64

Senator Baker offered the following resolution:

S. C. R. No. 64, Requesting Texas Commissioner on Higher Education to study the need and feasibility of making the University of Houston a State supported institution of higher learning.

Whereas, The number of young men and women seeking admission to colleges and universities in Texas is expected to double in the next fifteen to twenty years; and

Whereas, It is anticipated that the greater increases in enrollment will occur at the public institutions of higher education; and

Whereas, These public junior and senior colleges already account for substantially more than one-half of the total enrollment at all colleges and universities in the State; and

Whereas, These prospective enrollment developments will require careful advance planning and close coordination of effort to the end that State funds available for financing public higher education might be conserved and utilized most effectively; and

Whereas, The University of Houston now receives State support for its junior college division and is, thus, a partly State-supported institution of higher education; and

Whereas, The University of Houston is located within the largest city and one of the more populous areas in the State and renders valuable educational services to the local metropolitan area and the State by its offerings of degree programs in Liberal Arts, Science, Engineering, Teacher Education, Business Administration, Law, Optometry, and Pharmacy; and

Whereas, The University of Houston, with an investment in physical plant of more than Twenty-five Million Dollars (\$25,000,000.00), offers great potential for further development and added service to the State; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Texas Commission on Higher Education be requested to study the need and feasibility of making the University of Houston a fully State-supported institution of higher education; that the Commission in carrying out this study give due consideration to the possibility and desirability of making the University of Houston a part of The University of Texas; and, that the Commission report its findings, with appropriate recommendations, to the Regular Session of the Fifty-seventh Legislature.

The resolution was read.

On motion of Senator Baker and by unanimous consent the resolution was considered immediately and was adopted.

Committee to Escort Governor and Lieutenant Governor of New Mexico to Joint Session

The President announced the appointment of the following committee pursuant to provisions of H. C. R. No. 85 to escort the Governor and Lieutenant Governor of New Mexico to the Joint Session:

Senators Smith, Owen, Moffett, Hardeman and Ratliff.

Senate Resolution 446

Senator Hardeman offered the following resolution:

Whereas, We are honored today by the presence of Mr. H. O. Lane, of Center, Texas, the father of our distinguished colleague, Honorable Wardlow Lane; and

Whereas, It is the desire of the Senate to extend its greetings and good wishes to Mr. Lane and extend to him the courtesy of the floor during his visit to the Capitol; now, therefore, be it

Resolved, By the Senate of Texas, that its official welcome be extended to Mr. H. O. Lane, together with its good wishes and that he is hereby ex-

tended the courtesies of the floor during his sojourn in the Capital City.

The resolution was read and was adopted.

Senator Hardeman by unanimous consent presented Mr. Lane to the Members of the Senate.

Report of Standing Committee

Senator Colson submitted the following report:

Austin, Texas,
April 23, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 488, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

COLSON, Chairman.

Motion to Place Senate Bill on First Reading

Senator Parkhouse moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion was lost by the following vote (not receiving four-fifths vote of the Members of the Senate):

Yeas—21

Aikin	Moffett
Baker	Moore
Bradshaw	Parkhouse
Colson	Phillips
Dies	Ratliff
Fly	Reagan
Gonzalez	Roberts
Herring	Rogers
Kazen	Willis
Krueger	Wood
Martin	

Absent

Crump	Owen
Fuller	Secrest
Hardeman	Smith
Hazlewood	Weinert
Lane	

Absent—Excused

Hudson

Bills Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills:

S. B. No. 248, A bill to be entitled "An Act to amend Article 2.08 of Chapter 2, of the Insurance Code (Acts of the 1951, 52nd Legislature, as amended by the Acts of the 1955, 54th Legislature, page 413, Chapter 117, Section 9) to provide that items of capital stock and minimum surplus shall consist only of cash, bonds of this state or of the United States or guaranteed as to principal and interest by the United States, insured first mortgages or unencumbered real estate in this state, provided that investment of such notes shall not exceed one-half ($\frac{1}{2}$) of the capital stock and minimum surplus of the investing company, and in evidences of indebtedness of any county, city or other municipality of this state; etc., and declaring an emergency."

S. B. No. 276, A bill to be entitled "An Act creating the Lavaca County Flood Control District No. 3 in Lavaca County, Texas; defining its powers; providing for confirmation of the District; etc.; and declaring an emergency."

S. B. No. 178, A bill to be entitled "An Act providing that in all counties having a population of 350,000 inhabitants or more according to the last preceding Federal census, a biennial audit shall be made of all county books, records, and accounts of district, county and precinct officials, agents, or employees including all governmental units of the county, hospitals, farms, and other institutions of the county and all matters pertaining to the fiscal affairs of the county; providing the method of contracting for the biennial audit report and payment therefor; providing that annual independent audits may be made in lieu of biennial audits; etc., and declaring an emergency."

Joint Session

(To hear address of the Governor and Lieutenant Governor of New Mexico.)

The President at 10:55 o'clock a.m. announced that pursuant to the provisions of H. C. R. No. 85 previously

adopted by the Senate, that the time had arrived for the Joint Session to hear an address by the Governor and Lieutenant Governor of New Mexico.

The Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 10:55 o'clock a.m.

The Senators were announced and were admitted and escorted to the seats prepared for them along the aisle.

The President was invited to occupy a seat on the Speaker's rostrum.

The Honorable Waggoner Carr, Speaker of the House called the Joint Session to order at 11:00 o'clock a.m.

The President of the Senate called the Senate to order and announced a quorum of the Senate present.

The Speaker of the House called the House to order and announced a quorum of the House present.

The Honorable Governor John Burroughs and Lieutenant Governor Edward V. Mead, accompanied by Mrs. Mead, Governor Price Daniel and former Senator Fred (Red) Harris, were announced by the Doorkeeper of the House.

The Governor's party was escorted to the Speaker's rostrum by Senators Smith, Owen, Moffett, Hardeman and Ratliff on the part of the Senate and Representatives Latimer, Blanchard, Heatley, Kennard, Pipkin, Woods, Fenoglio, Rosas, Bishop, Holstein, Preston and Sudderth on the part of the House.

The Speaker announced the purpose of the Joint Session and presented former Senator Fred (Red) Harris.

Mr. Harris presented Lieutenant Governor Edward V. Mead and he addressed the Joint Session.

Mr. Harris then presented Mrs. Mead.

Mr. Harris then presented Governor John Burroughs and Governor Burroughs addressed the Joint Session.

The Speaker then presented Governor Price Daniel. He presented Gov-

ernor Burroughs and Lieutenant Governor Mead with commissions as Texas citizens. Governor Daniel then presented mementos of the visit to Texas to the guests.

The Speaker then presented Lieutenant Governor Ben Ramsey and he presented a memento of the visit to former Senator Harris.

At the conclusion of the Joint Session, the President announced the purpose of the Joint Session concluded and requested the Senate to retire to its Chamber.

In Legislative Session

The President called the Senate to order as in Legislative Session at 11:50 o'clock a.m.

Senate Resolution 448

Senator Ratliff offered the following resolution:

Whereas, The Texas Cowboy Reunion has been organized some 30 years, with the purpose in mind of preserving the history and color of the Old West as it existed in Texas; and

Whereas, This organization has each of these 30 years (except during World War II) had a three-day show of old time Western skills, using only present-day working cowboys, such shows being non-professional; and

Whereas, This Rodeo was the favorite of Will Rogers and many other early-day Western Cowmen, and is considered one of the top Western shows in the nation (showing this year July 2, 3, and 4) at Stamford, Texas; and

Whereas, As the Old West passes, it is the purpose to honor its record, history, and continuance as shown in the Texas Cowboy Reunion; now, therefore, be it

Resolved, by the Senate of Texas, That they do now and hereby pay tribute to this effort to preserve Western History, and by this resolution honor that fast-passing group of men who opened the Texas frontier.

The resolution was read and was adopted.

Recess

On motion of Senator Hardeman

the senate at 11:53 o'clock a.m. took recess until 2:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

Leaves of Absence

Senator Kazen was granted leave of absence for today on account of important business on motion of Senator Baker.

Senator Fly was granted leave of absence for today on account of important business on motion of Senator Baker.

Senator Krueger was granted leave of absence for today on account of important business on motion of Senator Baker.

Motion to Place Senate Bill 27 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up S. B. No. 27 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up S. B. No. 27 for consideration at this time.

The motion was lost by the following vote:

Yeas—11

Crump	Parkhouse
Gonzalez	Ratliff
Herring	Reagan
Lane	Secrest
Moffett	Smith
Owen	

Nays—12

Aikin	Martin
Baker	Moore
Bradshaw	Phillips
Colson	Roberts
Dies	Willis
Hardeman	Wood

Absent

Fuller	Rogers
Hazlewood	Weinert

Absent—Excused

Fly	Kazen
Hudson	Krueger

Senate Resolution 449

Senator Willis offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. Clifton Brignac, Mrs. R. M. Hunt and Mrs. L. R. Robinson; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Willis by unanimous consent presented the guests to the Members of the Senate.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 27, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 145 by viva voce vote.

The House has concurred in Senate amendments to House Bill No. 470 by viva voce vote.

The House has concurred in Senate amendments to House Bill No. 6 by non-record vote.

S. C. R. No. 59, Congratulating the cast of "A Midsummer Night's Dream" and making them official good-will ambassadors to Great Britain on their tour of the play from May 18 through August 15, 1959.

H. C. R. No. 97, In memory of Asher Mintz.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Motion to Place**Senate Bill 188 on Second Reading**

Senator Owen asked unanimous consent to suspend the regular order of business and take up S. B. No. 188 for consideration at this time.

There was objection.

Senator Owen then moved to suspend the regular order of business and take up S. B. No. 188 for consideration at this time.

The motion was lost by the following vote:

Yeas—5

Aikin	Owen
Lane	Wood
Martin	

Nays—19

Baker	Moore
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Gonzalez	Roberts
Hardeman	Secrest
Hazlewood	Smith
Herring	Willis
Moffett	

Absent

Fuller	Weinert
Rogers	

Absent—Excused

Fly	Kazen
Hudson	Krueger

Senate Bill 76 on Second Reading

On motion of Senator Hardeman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 76, A bill to be entitled "An Act to amend Article 6065 of the Revised Civil Statutes of Texas of 1925; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 76 on Third Reading

Senator Hardeman moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three

several days be suspended and that S. B. No. 76 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Lane	Weinert
Martin	Willis
Moffett	Wood

Absent

Hazlewood

Absent—Excused

Fly	Kazen
Hudson	Krueger

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 454 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 454, A bill to be entitled "An Act relating to the responsibilities, powers and duties of the Central Education Agency, State Board of Education and State Commission of Education with respect to Public Junior Colleges; and declaring an emergency."

The bill was read second time.

Senator Martin offered the following amendment to the bill:

Amend H. B. 454 by striking out that part of line 43 after the semicolon and all of lines 44 and 45 and changing the semicolon to a period.

The amendment was adopted.

On motion of Senator Aikin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 454 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 454 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Lane	Weinert
Martin	Willis
Moffett	Wood

Absent

Hazlewood

Absent—Excused

Fly	Kazen
Hudson	Krueger

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—26

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Smith
Lane	Weinert
Martin	Willis
Moffett	Wood

Absent

Hazlewood

Absent—Excused

Fly	Kazen
Hudson	Krueger

Report of Standing Committee

Senator Herring by unanimous consent submitted the following report:

Austin, Texas,
April 27, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Claims, to whom was referred S. B. No. 100, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

HERRING, Chairman.

C. S. S. B. No. 100 was read the first time.

Senate Bill 472 on First Reading

Senator Parkhouse moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Herring	Weinert
Lane	Willis
Martin	Wood
Moffett	

Absent

Hazlewood	Smith
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Absent—Excused

Fly	Kazen
Hudson	Krueger

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Parkhouse:

S. B. No. 472, A bill to be entitled "An Act validating contracts between a district or authority created under the provisions of Article 16, Section 59, of the Constitution, and cities, towns or villages created under the general law, whereby the district or authority agrees and contracts to furnish a water supply; providing certain exceptions to the operation of the Act; and declaring an emergency."

To the Committee on Water and Conservation.

Senate Bill 472 Re-referred

On motion of Senator Parkhouse and by unanimous consent S. B. No. 472 was withdrawn from the Committee on Water and Conservation and re-referred to the Committee on Counties, Cities and Towns.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 27, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on House Bill No. 110 by a vote of 122 ayes, 10 noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Presentation of Guests

Senator Crump by unanimous consent presented a group of students from Howard Payne College of Brownwood accompanied by Professor McDonald W. Held to the Members of the Senate.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
April 27, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Coun-

ties, Cities and Towns, to whom was referred S. B. No. 472, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

**Session for Consideration of Local and
Uncontested Bills Calendar**

On motion of Senator Martin and

by unanimous consent, the Senate agreed to hold a session for the consideration of a Local and Uncontested Bills Calendar on tomorrow following the Morning Call.

Adjournment

On motion of Senator Hardeman the Senate at 3:15 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
Harry Clay Withers

Senator Parkhouse offered the following resolution:

(Senate Resolution 447)

Whereas, The Universal Father, in His infinite wisdom did on April 24, 1959, call from his earthly labors Harry Clay Withers; and

Whereas, Harry C. Withers was the revered dean of Texas newspaper editors whose Christian life and leadership had been an inspiration to countless thousands during his 78 years of life and more than half a century as the guiding genius of the newsrooms of The Dallas Morning News; and

Whereas, Harry C. Withers was born November 20, 1880, in Denton, Texas, to where his parents had moved just after the Civil War, and he was educated in the Denton Public Schools and at old Haskell Institute in Durant, Oklahoma, before serving his country valiantly in the Spanish-American War as a member of the 33rd United States Volunteer Infantry, after which he returned to his beloved profession of journalism on the staffs of the Denton Record Chronicle and Houston Post; and

Whereas, Harry C. Withers came to Dallas in May, 1904, and joined the staff of the Dallas Morning News, steadily advancing in rank, prestige and respect of all of his colleagues to city editor of The News in 1911; city editor of The News' former afternoon counterpart, The Dallas Journal, in 1914, and managing editor in 1918; managing editor of The News in 1939, and executive editor in 1950, from which position he retired January 1, 1959; remaining as a director in the company; and

Whereas, Harry C. Withers' life as a journalist in which he enjoyed the highest esteem, was but a part of his long and talented life, during which he accumulated many honors in recognition of his unselfish contributions to his church and country; and

Whereas, He was a devout, lifelong member of the Methodist Church, in which he was a leading layman, and for several years chairman of the Southern Methodist University Board of Development; and

Whereas, In civic endeavors the contributions of Harry C. Withers were many and constructive, during which he served as President of the Dallas Rotary Club, president of the Council of Social Agencies, an originator of the Dallas Crime Commission, and campaign leader for the Red Cross, co-chairman of the Dallas County Conference of Christians and Jews, as well as other organizations; and

Whereas, The Senate desires to echo the tribute paid to Harry C. Withers by the News' publisher, E. M. (Ted) Dealey, who wrote: "His accuracy, his fairness and his boundless patience under stress have all been unusual, but they have been equaled by his integrity and his devotion to duty at all times. He leaves a mark for the best of us in the profession to aim at, an example that will shame or inspire us, according as we ignore or profit by it."; and

Whereas, Harry C. Withers lived an exemplary life that stands a high mark of achievement in his family, professional, civic and church life; now, therefore, be it

Resolved, That when the Senate adjourns today it does so in the memory of Harry Clay Withers; that a page in the permanent Senate Journal be devoted to the recording of this resolution; and that an enrolled copy of this Resolution be sent to his wife, the former Anna Sinclair, and his four sisters, Mrs. Georgia Bonta of Dallas, Mrs. Robert Knox and Mrs. Ella Pockrus of Denton, and Mrs. Sue Price of Los Angeles.

PARKHOUSE
HARDEMAN

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Bradshaw, Colson, Crump, Dies, Fly, Fuller, Gonzalez, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.